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ZION HADAD
48 HAALMOGIM STREET
RISHON LEZION, IL ISRAEL

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JAN 04 2007

OFFICE OF PETITIONS

In re Application of
Hadad, Zion
Application No. 09/624,236
Filed: July 24, 2000
Title: SYSTEM AND METHOD FOR
CELLULAR COMMUNICATIONS

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ON PETITION

This is a decision on the petition under 37 C.F.R. § 1.137(b), filed August 24, 2006, to revive the above-identified application.

The petition is **DISMISSED**.

Any request for reconsideration must be submitted within TWO (2) MONTHS from the mail date of this decision. No further petition fee is required for the request. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition under 37 CFR 1.137(b)." This is **not** a final agency action within the meaning of 5 U.S.C. § 704.

The above-identified application became abandoned for failure to submit the issue fee in a timely manner in reply to the Notice of Allowance mailed December 15, 2005, which set a statutory period for reply of three (3) months. Accordingly, the above-identified application became abandoned on March 16, 2006. A Notice of Abandonment was mailed on April 24, 2006.

A grantable petition under 37 CFR 1.137(b) must be accompanied by:

- (1) the required reply,
- (2) the petition fee,
- (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional, and
- (4) a terminal disclaimer and fee if the application was filed on or before June 8, 1995 or if the application is a design application.

Where there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137 was unintentional, the Commissioner may require additional information.²

¹ In a nonprovisional application abandoned for failure to prosecute, the required reply may be met by the filing of a continuing application. In an application or patent, abandoned or lapsed for failure to pay the issue fee or any portion thereof, the required reply must be the payment of the issue fee or any outstanding balance thereof.

² See MPEP 711.03(c)(III)(C) and (D).

The instant petition lacks items (1) and (2). The credit card submitted to pay the issue and petition fees was deemed invalid by the OIPE Customer Service. Petitioner must submit the fees to reinstate the instant application.

Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop PETITIONS
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By hand: Customer Window located at:

U.S. Patent and Trademark Office
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401 Dulany Street
Alexandria, VA 22314

By fax: (571) 273-8300
ATTN: Office of Petitions

Any questions concerning this matter may be directed to the undersigned at (571) 272-3206.


Liana Walsh
Petitions Examiner
Office of Petitions